

DPN Confidentiality Policy

1. DPN holds confidential information* about individuals and other non-personal confidential information, e.g. information about business finances, strategy and planning.
2. Staff are under a common law obligation not to disclose confidential information inappropriately, whether it relates to people or otherwise.
3. Staff are also contractually obliged to maintain 'mutual trust and confidence' with DPN and not to disclose confidential information without proper authorisation.
4. Anyone processing personal confidential information (e.g. consultants) on behalf of DPN must only do so under contract.
5. Staff should ensure that any confidential information for which they are responsible is stored securely and in such a way that confidentiality is maintained. Deliberate or reckless breaches of confidence relating to confidential information held by DPN may be treated as a disciplinary offence and may constitute an offence under the Data Protection Act. Such breaches may also be actionable by the party whose confidence has been broken and result in litigation against the individual who breached the confidence.
6. All staff should ensure that they are familiar with the confidentiality policy.

Definition of Confidential Information

* Confidential information is any information to which the common law 'duty of confidence' applies. A duty of confidence is created when 'private' information has been passed on in such a way that the person receiving the information was aware, or should have been aware, that the information was being imparted on the basis of confidentiality. (The legal test is whether a 'reasonable' person would think the recipient ought to have known that the information was confidential).

